

IN THE UNITED STATES DISTRICT COURT

JUL 18 2006

FOR THE DISTRICT OF HAWAII

at 2 o'clock and 08 min. P.M.
SUE BEITIA, CLERKMANDALAY PROPERTIES
HAWAII, LLC,

Plaintiff,

vs.

ISLAND ACCESS COALITION,
WILLIAM YOUNG, individually,
and DOE DEFENDANTS 1-20,

Defendants.

CV. NO. 03-00711 JMS BMK

ORDER DENYING PARTIES' REQUEST TO STAY PROCEEDINGS
ORDER CONSOLIDATING ACTIONS

On June 26, 2006, this Court received the Parties' Stipulation to Stay Proceedings. The Parties state that "the overlapping issues in the County [of Kaua'i v. Mandalay Properties Hawaii LLC, CV No. 05-00052] case may affect the extent of discovery and progression of trial preparation in this case. Therefore, the Parties have agreed to stay this case to await the resolution of those issues, which will promote judicial efficiency and economy." (Stip. ¶2.) After considering the Parties' Stipulation and reviewing the cases, the Court finds that the issues and facts are substantially related such that the interests of judicial

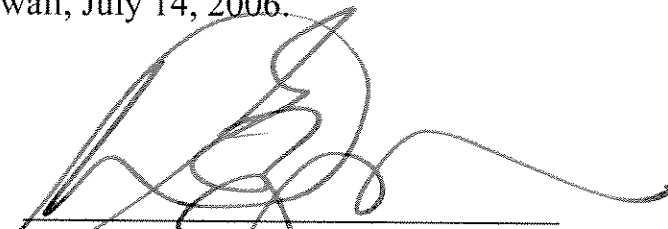
economy would be best served by adjudicating the matters together in a consolidated case.

Accordingly, this Court consolidates Mandalay Properties Hawaii LLC v. Island Access Coalition, et al. CV No. 03-00711 and County of Kaua'i v. Mandalay Properties Hawaii LLC, CV No. 05-00052, pursuant to Federal Rules of Civil Procedure, Rule 42.

Accordingly, this Court DENIES the Parties' Request to Stay Proceedings.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, July 14, 2006.



DAVID ALAN EZRA
UNITED STATES DISTRICT JUDGE

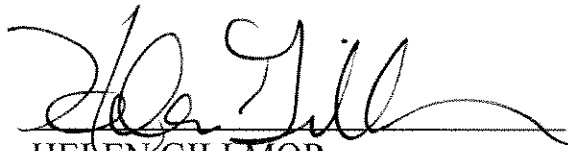
ORDER CONSOLIDATING ACTIONS

IT IS ORDERED that the above numbered and entitled actions be, and they are hereby, consolidated into one action, and the orders and proceedings heretofore had in said actions be, and they hereby are, made orders and

proceedings in this action, and that this consolidated action shall proceed under the title of County of Kaua'i v. Mandalay Properties Hawaii LLC, Civil Action No.05-00052, consolidated and assigned to the Honorable David Alan Ezra.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, 7.18.06.

A handwritten signature in black ink, appearing to read 'Helen Gillmor', written over a horizontal line.

HELEN GILLMOR

CHIEF UNITED STATES DISTRICT JUDGE

Mandalay Properties Hawaii, LLC, v. Island Access Coalition, et al., CV No. 03-00711 JMS-BAK; ORDER DENYING PARTIES' REQUEST TO STAY PROCEEDINGS; ORDER CONSOLIDATION ACTIONS